

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

220 CMR 250.00: TRANSPORTATION OVERSIGHT DIVISION PRACTICE

Section

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250.01: Presiding Officer

The Director, Assistant Director, or hearings officers of the Transportation Oversight Division, or any other employee or of the Transportation Oversight Division, designated by the Chairman of the Commission or the Director may preside at any hearing. The presiding officer shall administer oaths and affirmations, issue subpoenas, and make all decisions regarding the admission or exclusion of evidence or any other procedural matter which may arise in the course of the hearing. Any ruling of such employee may be appealed to the Director or, in his absence, the Assistant Director.

250.02: Filing

All pleadings, documents, or papers relating to matters requiring action by the Transportation Oversight Division shall be filed with the Transportation Oversight Division, One South Station, 2nd Floor, Boston, Massachusetts 02110.

250.03: Calendar

The Transportation Oversight Division shall maintain a hearing list, and, so far as practicable, matters shall be heard in the order in which they have been initiated.

250.04: Place of Transportation Division Hearings

Hearings of the Transportation Oversight Division shall be held at the offices of the Department, except as provided in M.G.L. c. 159B, § 3.

250.05: Mailing List

The Transportation Oversight Division shall maintain a mailing list of all persons who request notice of hearings, which may be revised from time to time by the Division, and notice of each hearing shall be mailed to each person on the mailing list by the Department.

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250.06: Appeals from Decisions of the Transportation Oversight Division

Any party in interest aggrieved by any order of the Director of the Transportation Oversight Division shall have a right of appeal to the Commission. Such appeal shall be claimed by filing with the Secretary of the Commission, and with the Director of the Transportation Oversight Division, a written claim of appeal within 20 days from the date of the order appealed from, which claim of appeal shall specifically set forth the grounds upon which the appellant claims to be aggrieved by the order of the Director. A copy of the claim shall be served by the appellant on each person who appeared at the hearing before the Transportation Oversight Division. Such appeal shall be heard on the evidence introduced at the hearing before the Transportation Oversight Division. No new evidence will be received at the hearing on appeal. An appeal shall not operate as a stay of the order of the Director, except in cases involving suspension or revocation of operating rights.

REGULATORY AUTHORITY

220 CMR 250.00: M.G.L. c. 159B.